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1949 **File No.** 666/48

ASS P.W. **DEPARTMENT**
& **BRANCH**(II)

Subject:—

Administrative Enquiry Committees Report.
Preparation of list of posts for higher responsibility & selection for these posts.
Para 346

V

3 K 1949

File No. 666/48-E(II)

Ed. Scott. Slip. 24 A.

Std. Sectt. 78A e.

G. R., G. D., No. 2408, dated 22-5-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 666/48

F.P.W. DEPT.

80(11) BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

E.B. (II).

Submitted.

2. The Secretariat Departments are directed to prepare, in consultation with the P & S-D., a list of posts, prmotion to which should, in their opinion, be made by positive selection.

The above recommendation is based on para. 346 of the A.E.C.'s Report.

In G.R., P. & S.D., No.4099/54, dated the 18.3.1947, Govt. had issued the following orders:-

"(a) Promotion should not be denied to an officer who is qualified by his seniority unless his record shows that he is unfit for promotion.

(b) No officer who qualifies under (a) above should be passed over by an officer junior to him unless the latter has really exceptional ability of qualifications and the proposal for accelerated promotion has been approved by Government."

The Committee has explained that promotion ordered in accordance with the principles enunciated above not only pre-supposes an equal capacity in all officers to learn by experience, but produces an undesirable psychological effect on subordinate officers. The Committee agree that negative selection is prefereable in the case of ordinary promotions but considers that positive selection is indicated as the method for posts involving high responsibilities.

3. The posts under the administrative control of the P.W.D. are generally divided into wo categories, viz., 'Technical' and 'Non-Technical'.

(A)

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(A) Technical Posts.

(i) In respect of technical gazetted posts it appears that only the posts of "Chief Engineers" and "Superintending Engineer" or equifalent posts" may be considered to be posts, promotion to which should be made by postive selection. The posts of ex.Engrs. and Dy.Engrs. may be left out.

(ii) Among the non-gazetted technical posts only the post of Head Draftsman may be considered to be a post to which promotion may be ordered by positive selection.

(B) Non-Technical Posts.

(i) As far as the P.W.D.Secretariat is concerned the posts of "Assistant Secretaries to Government" and "Superintendents of Noting Branches" may be deemed to be posts ~~xhx~~ to which promotion is required to be made by positive selection. The remaining posts, viz., Senior Assistants, Junior Assistants, Clerks, etc., may be left out.

(ii) As far as the mofussil offices are concerned, the post of a First Clerk to the S.E.'s office may be deemed to be a post for which positive selection is necessary. When this is done, the post of the Head Clerk to the S.E.'s office need not be included as promotion to the Head Clerk's post is made from First Clerk. The old posts, viz., Division Head Clerks, Senior Accounts Clerks, Clerks, Tracers, Compilers, etc., may be left out.

4. The P. & S.D. may see these papers u.o. for remarks.

U.o. to P&SD dt.5.5.49

Id/-3.5.49. Id/-3.5.49. Id/-3.5.49. Id/-3.5.49. Id/-4.5.49

Political and Services Department.

'D' BRANCH.

Please see para, 346 of the report of the A.E.C. The A.E.C. has suggested that promotion to administrative rank and from Class II to Class I should be included in the list of posts or service promotion to which is to be made by positive selection as these are appointments involving high responsibility. It appears that the Committee did not contemplate that promotion in the Sub-Service itself or from Sub Service to ordinary Class II services or miscellaneous services should be included in the list. The whole trend of its recommendation in this behalf shows that the principles of promiton laid down in G.R., P. & S.D. No.4099/34, dated the 18.3.47 should be left undisturbed so far as the letter type of posts are concerned.

Having regard to the position as stated above P. & S.D. may suggest that so far as P.W.D. is concerned the following posts may be included amongst those to which promotion should be made by positive selection, viz.,

(1) Chief Engineer

(2) Superintending Engineers or equivalent posts and (3) Executive Engineers and all other Class I Posts.

The posts of Supdts and Assistants in the Sectt. can hardly be called posts of administrative rank and need not be included in the list.

It seems advisable that orders sanctioning the list of posts to which promotion is to be made by positive selection pertaining to all Deptts. are issued by P.& S.D. as the orders will be in modification of the orders contained in G.R., P. & S.D. No.4099/34, dated the 18.3.47. If approved therefore, the PWD may be requested to forward the list so far as it is concerned

as....

as finally approved by Govt. to this Deptt. The other Deptts of the Sectt. also will be similarly advised so far as lists pertaining to them are concerned. B

Id/-

29.6-49.

As at 'A' overleaf and 'B' above.

Id/-

30.6.49.

Id/-

1.7.

U.or. to P.W.D. dt. 2.7.49.

CKK.

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E.B.(II). P.W.D.

This Deptt. had proposed that in respect of techl. posts, only the posts of "Chief Engr." and Superintending Engr." or equivalent posts should be considered to be posts to which promotion should be made by positive selection. While agreeing to the above proposal, the P.&.S.D. has also proposed that Ex.Engr's & all other Cl.I posts should also be included in the posts to which promotion should be made by positive selection. This Deptt. has held the view that it is not necessary to include the posts of Ex.Engrs. and Dy Engrs in the positive selection.

It is for orders when this Deptt. may stick to its view.

2. In respect of non-techl. posts no remarks have been made by the P & S D in respect of the posts of "Asstt.Secys". while in respect of the posts of Supdts in the Sectt. & S.E.'s First Clerk, the P & S D is of the view that it is not necessary to include these posts in the category of posts, promotion to which is regd. to be made by positive selection. This Deptt. may accept the view.

3. These papers may if approved be submitted to the H.M. P.W.D. Z

Z The P.& S.D. will be officially intimated about the final recommendations of this Deptt. on return of this papers from H.M.P.W.D.

Thro: E.B.(I). Id/-9.7.49.

Id/-
9.7.49.

Para.1. Advice of P.&.S.D. may be accepted.

2. Para. 2. P.&.S.D. presumably agrees with this Deptt. as regards the Asstt. Secys.

Id/-11.7.49.

Id/-11.7.49. Id/-14.7;49. Id/-14.7.49. Id/-14.7. Secy (I) Secy (R & B)
H.M.P.W.D. Id/-17.7.49. Id/-18.7. Id/-20.7.49.
E.B.II Resubmitted with a draft for approval
Id/-20.7.49. Thro: E.B.(I)

Id/-

20.7.49.

Finance Department.

Note for Secretaries' Meeting.

(3rd November 1949).

Implementation of the Administrative Enquiry Committee's recommendation in paragraph 346 of the Report regarding adoption of the method of positive selection for making promotions to posts involving high responsibility.

P.&.S.D. Resolution No.3063/46, dated 13th April 1949 that Deptt. has communicated Govt.'s acceptance of the administrative Enquiry Committee's recommendation that Govt. should prepare a list of post involving high responsibility , promotion to which should be made by positive selection and not by seniority, and has requested the Secretariat Departments to prepare such lists so far as they are respectively concerned in consultation with the P.& S.D. The orders have to be read with paragraph 346 of the Report. Presumably the P.& S.D. considers that the orders when so read would be clear enough to enable the Secretariat Deptts. to prepare their lists with the help of the Heads of Deptts. under their administrative control, and intends to effect co-ordination among the Departmental lists when they are referred to the P.& S.D. as directed. It is necess ary that lists of all Deptts. are prepared on some uniform basis. The term "high responsibility" is rather vague. It would facilitate the task of the Sectt. Deptts. and Heads of Deptts. under them if some guidance is given as to what type of posts should be regarded as involving high responsbility for the purposes of promotion by positive selection.

2. The Committee considered that in cases of promotion to a higher class, promotion merely on

on the basis of seniority should not be encouraged. The Committee distinguished between promotion which is meant as a reward for work in the post immediately below and promotion where the duties and responsibilities attached to the higher post are such as would demand attention by a really capable person. Promotion to the latter type of posts should be by merit and not by seniority. The Committee was told in evidence that in Audit Deptt. and in the Railways they have a lower gazetted service and everybody in the Deptt. knows that promotion to the posts in that service is not by positive selection but by seniority. But promotion from lower gazetted services to the higher gazetted services and further promotion in the latter services is solely by positive selection; seniority does not come in at all. These considerations have reference to the following portion in para.346 of the Report viz.

"All promotions, for instance, to administrative rank and from Class II to Class I should, we suggest, be included in such a list". The Committee, however, thought that it should content itself with indicating the principle and leave it to the Heads of Deptts. with their intimate knowledge of the services to define the scope for making promotions by positive selection. Attention is invited in this connection to paragraphs 347 and 265 wherein positive selection has been specifically recommended as the method for promotion to 50% of the posts in the cadres of Mamlatdars and Deputy Collectors in the Revenue Deptt. and to all grades of Police Officers in the Police Deptt. respectively. Apparently, the A.E.C's. intention is that the principle of positive selection should be followed generally in making promotions to higher grades in the service, except in cases like that of the Police Deptt. where it is especially desirable that higher posts should be manned by officers who have shown proof .....

proof of their aptitude in lower positions and consequently promotions by positive selection might also be necessary in comparatively lower grades of service.

3. The C.P.C's views in the matter of promotions and particularly in respect of principles adopted in mkaing promotions will be found in paragraphs 107-117 and paragraph 110 respectively. Paragraph 110 is reproduced below for ready reference.

"Principles adopted in making promotions- As to the principles to be adopted in making promotions, the familiar controversy between seniority and merit has been revived before us. The general formula of seniority cum merit was formally accepted by all; but the advocates of seniority interpreted it to mean that seniority should prevail except when a person has been declared to be unfit. We do not think it right to put such a limited interpretation on the principle. The purpose of prmotion is not merely to give the public servant more pay, but also to give him a more responsible position and more extensive authority. The question must, therefore, be judged both from the public interest and from the interest of the individual concerned. The principle of seniority assumes that all members of a particular grade are equally fit for promotion. Such an assumption may not do much harm in the lower grades of the service; but it cannot be generally accepted when dealing with promotions in or to the top grades. The principle of seniority has, no doubt, tho/a-dvantage that operation is very nearly automatic & it avoids the need for making invidious distinctions between one person and another and the embarrassment placing a young officer over the head of an older one. For many situations, especially those in respect of which long familiarity with office work is itself adequate training, the rule of seniority may be ...generally...

generally followed. But, even in this category of posts, occasional instances of exceptional promotion of deserving persons would be an inducement to greater endeavour, provided of course that care is taken to guard against all suspicion of nepotism. In the higher grades of the service, considerations of fitness must have precedence over the claim of seniority. The task of selection may not always be easy or agreeable and the possibility of mistake, unfairness or injustice cannot be wholly ex kluded, but the situation has to be faced. The efficiency of such a promotion system will largely turn upon the means adopted to determine the relative merits of the candidates. This takes us to the third of the questions above indicated.

4. Promotion by positive selection presupposes the existence of a fairly independent and impartial machinery for making selection somewhat on the lines of the Departmental Boards in the Police Deptt. in order to safeguard against the misuse of the principle as far as possible. According the A.E.C., confidential reports maintained on the lines suggested by the Committee are intended to ensure that positive selection will not result in arbitrary choice (vide recommendation in para. 348 of the Report, approved by Government.

5. The criterion for deciding whether a particular post or group of posts should be earmarked for promotion by positive selection should be as follows.

If a post to be filled in by promotion in such that long experience in itself cannot be regarded as adequate qualification for the incumbent of the post or that it is meant not mearely as a reward for work in the post immediately below, but that the duties and responsibilities attached to the post are such as would, in the interest of public service, justify a.../;..

justify appointment of only the best available person irrespective of his seniority that post may be included in the list of posts, promotion to which will be by positive selection. If a post does not fit in the above description, promotion to it may be by negative selection as at present.

6. It will perhaps be in conformity with the above principle to treat the following cases classes of promotion as promotions to be made by positive selection:--

(i) Promotion in from a non-gazetted post to a gazetted post.

(ii) Promotion from a post in the Lower Gazetted group to a post in the higher gazetted group

(iii) Promotion from a post in the higher gazetted group to a post above the time scale.

It will be seen that with the exception of the Police Department, all other cases in which the A.E.C. has recommended promotion by selection are included in the above classes. This is of course a broad classification. There may be cases of promotion which are not included in any of these categories and in which promotion should be by positive selection. Departments will be able to specify such cases if there are any.

Secy. Sd/- B. Venkatappiah),
25/10

Chief Secy. Sd/-M.D.Bhat
27/10

CKK.

Administrative Enquiry Committee's Report.

Recommendation made in para 346
of the- - - - - -

Government orders on - - -

GOVERNMENT OF BOMBAY,
Political and Services Department,
Resolution No.3063/46,
Bombay Castle, 13th April 1949.

RESOLUTION OF GOVERNMENT.

In para 346 of its report, the Administrative Enquiry Committee has recommended that Government should prepare a list of posts involving high responsibility and that promotion to these should be made by positive selection. Government has carefully considered this recommendation and is pleased to direc that it should be accepted. The Secretariat Departments are requested to prepare such lists so far as they are respectively concerned in consultation with the Political and Services Department.

By order of the Governor of Bombay,

M. D. BHAT

Chief Secretary to the Government of Bombay,
Political and Services Department.

To

All Departments of theSecretariat.

The Secretary, Bombay Publicxxxx Service xxxx
Commission, Bombay.

CKK.

Letter.

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No.666/48-E(II)

P. W. D.
B. C. 21st July 1949.

To

The Chief Secretary to the G. of B., P.&.S.D.,

Subject: List of posts under the PWD involving high responsibility and promotion to which is to be made by positive selection.

Ref. G.R., P. & S.D. No.3063/46, dated the 13.4.49.

2. The following posts under the PWD should be included amongst the posts to which promotion should be made by positive selection:

(1) Cheif Engineer.

(2) S.Es. or equivalent posts.

(3) Ex. Engrs.

(4) All other Cb. I posts

(5) Asstt. Secys. to Govt.

Id/-
20.7.49.

By order of the G. of B.

D.A.-Nil.

Id/-
20.7.49.

CKK.